



**DEPARTMENT OF PUBLIC SAFETY  
POLICIES & PROCEDURES**



**POLICY NUMBER**

**OPR:09**

**EFFECTIVE  
DATE:  
11/06/2012**

**ORIGINAL  
ISSUED ON:  
08/05/1999**

**REVISION NO:**

**5**

**SUBJECT: RESIDENCY REQUIREMENT**

## **1.0 PURPOSE**

The purpose of this policy is to provide guidelines outlining residency requirements for commissioned employees of the Department of Public Safety.

## **2.0 POLICY**

It is the policy of the Department of Public Safety to ensure adequate and timely response to requests for emergency police service. Therefore, a residency requirement for all commissioned officers of the Department of Public Safety is established.

## **3.0 APPLICABILITY**

This policy applies to all commissioned officers of the Department of Public Safety.

## **4.0 REFERENCES**

**NONE**

## **5.0 DEFINITIONS**

- A. Duty Station** – Headquarters, district, or sub-district office.
- B. Post** – Any assignment other than a duty station.
- C. Assigned District** – The boundaries of the uniform district in which the duty station or post is located. The duty station for commissioned officers assigned to other than the Uniform Bureau shall be the Headquarters, district, sub-district, post, or other office identified in their letter of assignment.

## **6.0 PROCEDURE**

- A.** It is the policy of the Department of Public Safety that all commissioned police officers will reside within forty-five (45) road miles of the district or sub-district office to which they are assigned.
- B.** An officer who resides outside the State of New Mexico, but within forty-five (45) road miles of the district or sub-district office to which they are assigned, may use their assigned vehicle to travel to and from their residence across state lines. The officer must first submit an IDC through his/her chain of command to the Chief for approval.
- C.** An officer who resides more than forty-five (45) miles from the district or sub-district office to which they are assigned may not drive their state assigned vehicle further than forty-five (45) miles. They may either leave the vehicle at their assigned office or locate a secure location within the forty-five (45) mile limit to park the vehicle. The secure area must be approved by the district/bureau commander.
- D.** The district/bureau commander may request that the officers be assigned to a post within the district or bureau. The request will identify the need for establishing a post and will include the area in which the officer must reside in order to perform his/her duties within the post. The request must be approved by the Chief.

Clarification  
added.

## **RESIDENCY REQUIREMENT**

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- E.** A copy of the approved geographical boundary for each post, complete with justification, will be filed in each district office and Headquarters and must be included in the division's staffing plan. The commander shall update the criteria between June 1<sup>st</sup> and June 30<sup>th</sup> of each year.
- F.** The commander must approve the accessibility to the officer's residence.
- G.** Officers are authorized to utilize their assigned units while on an assigned shift, or on special assignment, as well as to commute to and from their residence to their assigned area of responsibility. The time used to commute shall not be considered compensable.
- H.** The policy will apply to assignments, reassignments, or change of residence on the effective date.
- I.** The Chief is authorized to waive any provisions of this policy as he deems necessary to serve the interest of the department.

### **7.0 ATTACHMENTS**

**NONE**

### **8.0 APPROVAL**

**APPROVED BY:** \_\_\_\_\_ s/ Gorden E. Eden Jr. **DATE:** November 6, 2012  
DPS Cabinet Secretary